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TAGS: [AORC](#) [ECON](#) [EFIN](#) [GG](#) [PREL](#) [ICJ](#)

SUBJECT: GEORGIA: FOREIGN MINISTRY TO FILE A BRIEF WITH ICJ
OPPOSING RECOGNITION OF KOSOVO'S INDEPENDENCE

REF: A. STATE 29385

[1](#)B. STATE 33709

[1](#)1. (SBU) Georgian MFA Legal Department Director Irakli Giviashvili called in the DCM April 13 to inform us that Georgia planned to submit a brief to the International Court of Justice (ICJ) arguing against the legality of Kosovo's declaration of independence. Giviashvili said First Deputy Minister Giga Bokeria had asked Giviashvili to give the USG advance notice of the Georgian Government's intent to submit this legal justification to the ICJ in the near future documenting Georgia's arguments against the legality of Kosovo's independence. He stressed that while both the MFA and the Ministry of Justice recognized the situation in Kosovo as not analogous to the circumstances surrounding Abkhazia and South Ossetia, the potential for Russian "abuse" made it politically necessary for Georgia to take this position in opposition.

[1](#)2. (SBU) Giviashvili stated multiple times that Georgia was well-aware of the USG's support for Kosovo's independence and understood our arguments as to why Kosovo was a unique case, but he specifically noted that for political reasons concerning Russia, Georgia was required to take this step. He mentioned that support for Serbia would not be a factor in the legal justification that Georgia will present in arguing that the independence of Kosovo is not in accordance with international law.

[1](#)3. (SBU) During the meeting, DCM took the opportunity to request that in spite of Georgia's legal concerns about Kosovo recognition, that it consider voting in support of Kosovo's membership in the IMF and World Bank. Giviashvili said that this might be difficult, but promised to study the issue and see if there was a way for Georgia to be supportive.
TEFFT